

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE  
UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)  
(Case No. 98,392)

In the Application of:

Jonathan Embleton et al.

U.S Application No.: 09/091,958

International Appln No. PCT/GB96/03195

International Filing Date: December 20, 1996

For: Ophthalmic Treatment

**BOX PCT**

Asst. Commissioner for Patents  
Washington, D.C. 20231

Sir:

**TRANSMITTAL LETTER**

In regard to the above identified application:

1. We are transmitting herewith the attached:

- a. Petition for Four Month Extension of Time;
- b. Response to the Notification of Missing Requirements Under 35 U.S.C. 371 Mailed January 5, 1999;
- c. Notification of Missing Requirements Under 35 U.S.C. 371 Mailed January 5, 1999;
- d. Declaration and Power of Attorney;
- e. Postcard.

2. With respect to additional fees:

☒ A. Attached is a check in the amount of \$1,490.00.

B. Charge the total additional fee to our Deposit Account No. 13-2490

3. Please charge any additional fees or credit overpayment to Deposit Account No. 13-2490. A duplicate copy of this sheet is enclosed.

06/11/1999 PVOLPE 4. **CERTIFICATE OF MAILING UNDER 37 CFR § 1.8:** The undersigned hereby certifies that this Transmittal Letter and the paper, as described in paragraph 1 hereinabove, are being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Asst. Commissioner for Patents, Box PCT, Washington, D.C. 20231 on this 4th day of June, 1999.

01 FC:118  
02 FC:198

By :



Patrick J. Halloran  
Reg. No. 41,053

McDONNELL BOEHNEN  
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300 SOUTH WACKER DRIVE  
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**PATENT**

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE  
UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)  
(Case No.98,392)**

In the Application of: )  
Jonathan Embleton, et al. )  
U.S Application No.: 09/091,958 )  
International Appln No. PCT/GB96/03195 )  
International Filing Date: December 20, 1996 )  
For: Ophthalmic Treatment )

**RESPONSE TO THE NOTIFICATION OF MISSING REQUIREMENTS  
UNDER 35 U.S.C. 371 MAILED JANUARY 5, 1999**

**BOX PCT**

Assistant Commissioner of Patents  
Washington, D.C. 20231

Sir:

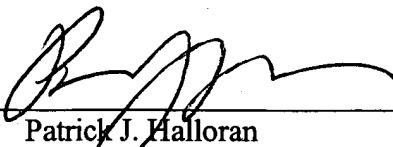
In response to the notice mailed January 5, 1999, enclosed please find a Declaration and Power of Attorney. Also, enclosed please find a check in the amount of \$130.00 for the Declaration and Power of Attorney fee.

Respectfully submitted,

McDONNELL BOEHNEN  
HULBERT & BERGHOFF

Date: June 4, 1999

By:

  
\_\_\_\_\_  
Patrick J. Halloran  
Reg. No. 41,053

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## UNITED STATES DEPARTMENT OF COMMERCE

## Patent and Trademark Office

Address: Assistant Commissioner for Patents  
Box PC  
Washington, D.C. 20231

U.S. APPLICATION NO.	FIRST NAMED APPLICANT	ATTY. DOCKET NO.
09/091958	EMBLETON	J 98392

STEVEN J SARUSSI  
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INTERNATIONAL APPLICATION NO.	
PCT/GB96/03195	
I.A. FILING DATE	PRIORITY DATE
20 DEC 96	21 DEC 95
DATE MAILED: JAN 05 1999	

NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

1. The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as

- ☐ a Designated Office (37 CFR 1.494),
- ☒ an Elected Office (37 CFR 1.495):
- ☒ U.S. Basic National Fee.
- ☒ Copy of the international application in:
  - ☐ a non-English language.
  - ☒ English.
- ☐ Translation of the international application into English.
- ☐ Oath or Declaration of inventors(s) for DO/EO/US.
- ☐ Copy of Article 19 amendments.
- ☐ Translation of Article 19 amendments into English.
- ☒ The International Preliminary Examination Report in English and its Annexes, if any.
- ☐ Translation of Annexes to the International Preliminary Examination Report into English.
- ☒ Preliminary amendment(s) filed 19 JUNE 1998 and
- ☐ Information Disclosure Statement(s) filed and
- ☐ Assignment document.
- ☐ Power of Attorney and/or Change of Address.
- ☐ Substitute specification filed
- ☐ Verified Statement Claiming Small Entity Status.
- ☒ Priority Document.
- ☒ Copy of the International Search Report ☒ and copies of the references cited therein.
- ☐ Other:

2. The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- ☐ a. Translation of the application into English. Note a processing fee will be required if submitted later than the appropriate 20 or 30 months from the priority date.
  - ☐ The current translation is defective for the reasons indicated on the attached Notice of Defective Translation.
- ☐ b. Processing fee for providing the translation of the application and/or the Annexes later than the appropriate 20 or 30 months from the priority date (37 CFR 1.492(f)).
- ☒ c. Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date. fees submitted 06/19/98
  - ☐ The current oath or declaration does not comply with 37 CFR 1.497(a) and (b) for the reasons indicated on the attached PCT/DO/EO/917.
- ☐ d. Surcharge for providing the oath or declaration later than the appropriate 20 or 30 months from the priority date (37 CFR 1.492(e)).

3. Additional claim fees of \$\_\_\_\_\_ as a ☐ large entity ☐ small entity, including any required multiple dependent claim fee, are required. Applicant must submit the additional claim fees or cancel the additional claims for which fees are due. See attached PTO-875.

**ALL OF THE ITEMS SET FORTH IN 2(a)-2(d) AND 3 ABOVE MUST BE SUBMITTED WITHIN ONE MONTH FROM THE DATE OF THIS NOTICE OR BY ☐ 21 OR ☒ 31 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.**

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

4. Translation of the Annexes **MUST** be submitted no later than the time period set above or the annexes will be cancelled. Note processing fee will be required if submitted later than 30 months from the priority date.

5. ☐ The Article 19 amendments are cancelled since a translation was not provided by the appropriate 20 (37 CFR 494(d)) or 30 (37 CFR 1.495(d)) months from the priority date.

Applicant is reminded that any communication to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above. (37 CFR 1.5)

***A copy of this notice MUST be returned with this response.***

DOCKETED

JAN 11 1999

DUE DATE: 2/5/99

BY: AB